

Message Text

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R 190106Z MAY 76

FM SECSTATE WASHDC

TO AMEMBASSY OTTAWA

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E.O. 11652: N/A

TAGS: ETEL, CA

SUBJECT: BORDER T.V. PROBLEM

REF: A) STATE 81916; B) OTTAWA 1477; C) STATE 110510;

D) OTTAWA 1962

1. AS INDICATED IN THE FINAL PARAGRAPH OF REF C, WE HAVE CONCLUDED THAT IT IS IN OUR INTEREST TO HOLD A SECOND INTER-GOVERNMENTAL MEETING ON BORDER TV PROBLEMS IN THE NEAR FUTURE. THE EMBASSY IS THEREFORE REQUESTED TO MAKE THE FOLLOWING POINTS AT THE HIGHEST APPROPRIATE LEVEL OF THE DEPARTMENT OF EXTERNAL AFFAIRS.

2. A) THE TWO SIDES AGREED AT OUR JANUARY MEETING IN OTTAWA THAT THE U.S. BORDER TV STATIONS WOULD PUT FORWARD FOR GOC CONSIDERATION PROPOSALS FOR ALTERNATIVE MEANS OF ACHIEVING THE OBJECTIVES OF THE BROADCAST ACT, AND THAT A LIMITED OFFICIAL USE

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SECOND MEETING WOULD THEN BE HELD TO DISCUSS INTER ALIA THE

CANADIAN REACTION TO THE COMPANY PROPOSALS.

B) AS TWO MONTHS HAVE NOW PASSED SINCE THE STATION REPRESENTATIVES PRESENTED THEIR PROPOSALS TO THE CRTC ON MARCH 18, WE BELIEVE IT IS NOW APPROPRIATE TO SCHEDULE A SECOND GOVERNMENT-TO-GOVERNMENT MEETING.

C) WE ENVISION THAT THE AGENDA FOR THIS STAGE OF OUR DISCUSSIONS WOULD INCLUDE, BUT NOT NECESSARILY BE LIMITED TO, THE FOLLOWING POINTS: CANADIAN REACTION TO THE COMPANY PROPOSALS; CANADIAN GOVERNMENT'S COUNTER-PROPOSALS, IF APPROPRIATE; NEXT STEPS; PRESS TREATMENT.

D) WE THEREFORE INVITE THE GOC TO SEND A DELEGATION TO WASHINGTON IN MID JUNE FOR THIS PURPOSE. ANY OF THE FOLLOWING DATES ARE ACCEPTABLE TO US: JUNE 17, 21, 22, 23 AND 25. IT IS OUR PRESENT INTENTION THAT THE U.S. SIDE WOULD AGAIN BE LED BY DEPUTY ASSISTANT SECRETARY VINE AND FCC CHAIRMAN WILEY. HOWEVER, WE WOULD WISH TO HAVE CANADIAN VIEWS ON THE LEVEL OF REPRESENTATION BEFORE MAKING A DECISION.

E) WE WOULD APPRECIATE RECEIVING THE GOC RESPONSE TO THIS INVITATION AS QUICKLY AS POSSIBLE. WE WOULD WELCOME CANADIAN COMMENTS ON THE PROPOSED AGENDA AS WELL AS THE LEVEL OF THE DELEGATIONS.

3. FYI: WE AGREE IN GENERAL WITH THE EMBASSY'S ANALYSIS CONTAINED IN REF D. WE HAVE THE FOLLOWING SPECIFIC COMMENTS:

A) WHILE WE AGREE THAT C-58 SHOULD BE AN INTEGRAL PART OF THE DISCUSSION IN OUR NEXT MEETING, WE ARE CONCERNED THAT BY ATTEMPTING TO INCLUDE THE SUBJECT SPECIFICALLY IN THE AGENDA WE WOULD BE GIVING THE CANADIANS GRATUITOUS OPPORTUNITY TO DELETE IT ON THE GROUNDS THAT IT IS BEYOND THE COMPETENCE OF THE CRTC. SINCE C-58 IS A PART OF THE COMPANIES' PROPOSAL AND WAS RAISED BY US IN JANUARY, WE ARE CONFIDENT WE WILL BE ABLE TO INSURE ITS INCLUSION IN THE DISCUSSION AT THE NEXT MEETING.

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B) WE BELIEVE THAT THROUGH REFERENCE TO "THIS STAGE OF OUR DISCUSSIONS" (SEE 2C ABOVE) AND "NEXT STEPS" WE WILL ADEQUATELY CONVEY THE IDEA THAT WE VIEW THIS MEETING AS ANOTHER STEP IN AN ONGOING DIALOGUE.

C) WE DO NOT THINK IT WOULD BE USEFUL AT THIS STAGE FOR U.S. SIDE SPECIFICALLY TO SEEK TO BROADEN THE DISCUS-

SION TO ENCOMPASS THE FUTURE OF U.S.-CANADA RELATIONS IN THE TV SECTOR. SUCH A MOVE MAY PROVE USEFUL AT SOME STAGE, BUT WE WOULD PREFER TO SEE NEXT ROUND OF TALKS PLAYED OUT FIRST AND IN GENERAL THAT THE BROADENING BE DONE AT CANADIAN INITIATIVE.

D) IN PREPARATION FOR A SECOND MEETING WE ARE ATTEMPTING TO DEVELOP MORE FACTUAL INFORMATION ON THE DETROIT/

WINDSOR SITUATION. KISSINGER

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